

AMENDED IN ASSEMBLY JUNE 9, 2014

AMENDED IN ASSEMBLY JUNE 2, 2014

AMENDED IN ASSEMBLY AUGUST 5, 2013

SENATE BILL

No. 721

Introduced by Senator Padilla

February 22, 2013

An act to amend Sections 19412, 19531.1, and 19549.12 of, to add Section 19549.17 to, and to repeal Section 19614.5 of, the Business and Professions Code, relating to horse ~~racing~~, *racing, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 721, as amended, Padilla. Horse racing.

(1) Existing law, the Horse Racing Law, generally regulates horse racing and vests the administration and enforcement of the Horse Racing Law in the California Horse Racing Board. A violation of the Horse Racing Law, where no other penalty is expressed, is a misdemeanor. Existing law defines "proposition parimutuel pool" for purposes of those provisions as the total wagers under the parimutuel system on propositions approved by the board that are based on the results of a live quarter horse or harness horse race or races.

This bill would specify that a proposition parimutuel pool also includes the results of a live thoroughbred horse race or races.

(2) Existing law authorizes the board to allocate racing weeks to licensed racing associations or fairs, and to specify the racing days, dates, and hours for horse racing meetings. Existing law divides the state into 3 geographical zones for purposes of horse racing, and prohibits the board from allocating racing dates to a private thoroughbred

racing association in the central or southern zone if a fair racing association is conducting racing in the central zone on the same dates and if the fair is obligated to make payments on a capital expense loan incurred to improve its horse racing facilities.

This bill would instead prohibit the board from allocating racing dates to a thoroughbred racing association in the central or southern zones if a fair racing association is conducting racing in either zone on the same dates.

(3) Existing law authorizes any county or district agricultural association fair conducting racing meetings for the first time on or after January 1, 1979, to retain the applicable state license fee for payment of a capital expense loan incurred for the purpose of preparing its facilities for horse racing.

This bill would repeal that authorization. Because this bill would expand the scope of a crime by removing an exception, it would create a state-mandated local program.

(4) Existing law designates a list of fairs and their locations that are part of the network of California fairs, which includes the Los Angeles County Fair, held in the City of Pomona.

This bill would authorize the Los Angeles County Fair, subject to approval by the board, to conduct live racing meetings at another site within or outside of the County of Los Angeles in accordance with specified provisions.

(5) This bill would also make conforming and nonsubstantive changes.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(7) *This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19412 of the Business and Professions
2 Code is amended to read:

1 19412. (a) “Conventional parimutuel pool” means the total
2 wagers under the parimutuel system on any horse or horses in a
3 particular race to win, place, or show.

4 (b) “Exotic parimutuel pool” means the total wagers under the
5 parimutuel system on the finishing position of two or more horses
6 in a particular race, such as quinella or exacta wagers, or on horses
7 to win two or more races, such as daily double wagers, pick six
8 wagers, or on other wagers approved by the board.

9 (c) “Proposition parimutuel pool” means the total wagers under
10 the parimutuel system on propositions approved by the board that
11 are based on the results of a live thoroughbred horse, quarter horse,
12 or harness horse race or races.

13 SEC. 2. Section 19531.1 of the Business and Professions Code
14 is amended to read:

15 19531.1. Notwithstanding any other law, the board shall not
16 allocate racing dates to a thoroughbred racing association in the
17 central or southern zone for the purpose of conducting
18 thoroughbred racing during daytime or nighttime hours if a fair
19 racing association is conducting racing in either zone on the same
20 dates.

21 SEC. 3. Section 19549.12 of the Business and Professions
22 Code is amended to read:

23 19549.12. Notwithstanding Sections 19482 and 19549, any
24 weeks of harness racing or quarter horse racing allocated by the
25 board to be raced at the facilities of a county fair that conducts its
26 racing meeting pursuant to Section 19549.3 may be conducted by
27 the fair.

28 SEC. 4. Section 19549.17 is added to the Business and
29 Professions Code, to read:

30 19549.17. (a) Notwithstanding any other law, the board may
31 permit the Los Angeles County Fair to conduct live racing meetings
32 at another site within or outside the County of Los Angeles. Subject
33 to approval of the board, the Los Angeles County Fair may conduct
34 its racing dates at a facility operated by a thoroughbred racing
35 association licensed to conduct a racing meeting in the southern
36 zone.

37 (b) A racing meeting licensed to the fair pursuant to subdivision
38 (a) may be operated by the fair, or the fair may contract for the
39 operation and management of the racing meeting with an individual

1 racing association that was previously licensed to conduct a racing
2 meeting.

3 SEC. 5. Section 19614.5 of the Business and Professions Code
4 is repealed.

5 SEC. 6. No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section 17556 of
11 the Government Code, or changes the definition of a crime within
12 the meaning of Section 6 of Article XIII B of the California
13 Constitution.

14 SEC. 7. *This act is an urgency statute necessary for the*
15 *immediate preservation of the public peace, health, or safety within*
16 *the meaning of Article IV of the Constitution and shall go into*
17 *immediate effect. The facts constituting the necessity are:*

18 *In order to ensure the continued viability of the horse racing*
19 *industry in the state and to ensure the changes proposed by this*
20 *act are implemented for horse races in September of this year, it*
21 *is necessary for this act to take effect immediately.*